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09/758,645	01/10/2001	Jeffrey Allen Hamilton	37304-0200	9524

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EXAMINER

TANG, SON M

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 05/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/758,645

Applicant(s)

JEFREY ALLEN HAMILTON

Examiner

Son M Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23, 26-32, 34-42 and 44-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23, 26-32, 34-42 and 44-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other:

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: Drawing of Fig. 1 should clearly label every component represented in the blocks, number itself is not understandable for one of ordinary skill in the art.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
3. Claims 1-5, 7-8, 26-35, 44-45, 46-49 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by **Horvat** [U.S. Pat. 4,591,823].

As to claim 1: **Horvat** discloses a device (12) for wireless access of vehicle information from a vehicle incident recording system which met by a vehicle transceiver (6), which is mounted in a vehicle for recording an over speed limit and tamper detecting system (see Fig. 2). The device (12) which can be mounted in a police patrol car (20) for mobile use, comprising, a transceiver (84, 90 in Fig. 3) the device includes a microprocessor system (70) Intel 8051 which contains an

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information datalink (90) and an interface (38) (as shown in Fig. 3-7, and 12, col. 5, lines 24-26 and col. 8, lines 1-5) for receiving and displaying data from the remote vehicle incident recording system, a transceiver coupled at least indirectly to the information datalink, for transmitting data from the remote vehicle incident recording system to a secure location (26) separate from the device, system 12 transmits signal to trigger system 6, where is comparison against vehicle speed, and reporting violation signal to central processor 22 (as cited in Fig. 1 and col. 3, lines 64-68 and col. 4, lines 13-18).

Horvat mentioned that wherein the system (12) is a "always type" monitor transceiver, and it can be received any speed of a vehicle regardless of whether the vehicle is above the speed limit (as cited in col. 11 and lines 20-24), which means that system (12) can be selected any target vehicle and retrieved real time information of the target vehicle. Therefore, the claimed "interface for accessing data from a remote vehicle" is inherently included in the system, because the authority person should have an access code or password to input in the interface such as keyboard, in order to operate the system.

As to claim 36: Refer to claim 1 above.

As to claim 2-5: Horvat further disclose wherein an incident recording system (6) storing vehicle capturing (speed or tamper) and identification information (col. 4, lines 19-68) in the memory (50) (col. 5, lines 16-23).

As to claims 37,46, 48 and 49 : Refer to claims 2-5 above.

As to claims 7-8: Horvat further discloses a visual display (44) (Fig. 5 and col. 4, line 30).

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As to claim 47: Horvat further discloses wherein said information is storage in a device where is remotely located from said vehicle (which met by a computer 70 and the motor vehicle dept 26).

As to claims 26-35: Horvat further discloses wherein said transceiver provides a transmission link for initiating transmission of information to an information storage device (which met by a system 12 sends indicative signal to system 6, then system 6 report to central processor 22) (as cited in col. 4, lines 10-18) and the trigger is adapted to respond to the occurrence of a predetermined event (met by the event of over speed limit).

As to claims 44-45: Refer to claims 26-35 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 14-21, 40-42 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horvat [U.S. Pat. 4,591,823].

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As to claims 14-21: Horvat further discloses wherein a second transceiver (80,84) includes a download trigger for initiating downloading of information from said recording system (6) which including a time, a dynamic and vehicle control information (met by a speed of a vehicle). Horvat does not specifically discloses wherein said download trigger is adapted to require input of an electronic access code, however, the monitor system (12) is mounted in a police patrol car, which means that only the authority person can be used that system. Therefore, it is obvious for one who having an authorization should have an access code, in order to operate the system.

As to claims 40-42 and 50: Refer to claims 14-21 above.

6. Claims **6, 9-11, 22-23, 38 and 51-52** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Horvat** [U.S. Pat. 4,591,823] in view of **Shamosh et al.** [U.S. Pat. 5,144,661].

As to claims 6, 9-11: **Horvat** disclose all the limitation as describe above, Horvat silence to disclose wherein the vehicle information comprises video information, and display screen and audio information, Shamosh et al. teach a security protection system and method which comprises a video/audio recording unit (24) which could be display at the remote site as well (as shown in Fig. 1 and col. 4, lines 60-68). It would have been obvious of one having ordinary skilled in the art at the time the invention was made to have a video/audio display as taught by Shamosh et al. into the system disclosed by **Horvat** in order to increase the safety, because using video camera to record is more clearly and accurate.

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As to claims 22-23: Shamosh et al. further disclose an encrypt (36) and decrypt (41) which use to convert information (as shown in Fig. 1-2 and col. 4, lines 20-28).

As to claim 38: Refer to claim 6 above.

As to claims 51-52: Refer to claim 22-23 above.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

--- Ricci [U.S. Pat. 5,847,661] disclose a Vehicle Data Acquisition System

--- Davis et al. [U.S. Pat. 5,935,190] disclose a Traffic Monitoring System.

--- Gehlot [U.S. Pat. 6,163,277] discloses system and method for speed limit enforcement.

8. **THIS ACTION IS MADE FINAL.**

A shortened statutory period for response to this action is set to expire from the mailing date of this action.

Extensions of time under 37 CFR 1.136(a) do not apply in reexamination proceedings. The provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Further, in 35 U.S.C. 305 and in 37 CFR 1.550(a), it is required that reexamination proceedings "will be conducted with special dispatch within the Office."

Extensions of time in reexamination proceedings are provided for in 37 CFR 1.550(c). A request for extension of time must be filed on or before the day on which a response to this action is due. The mere filing of a request will not effect any extension of time. An extension of time will be granted only for sufficient cause, and for a reasonable time specified.

The filing of a timely first response to this final rejection will be construed as including a request to extend the shortened statutory period for an additional month, which will be granted even if previous extensions have been granted. In no event however, will the statutory period for

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response expire later than SIX MONTHS from the mailing date of the final action. See MPEP § 2265.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Son M. Tang** whose telephone number is (703) 306-5970. The examiner can normally be reached on Mon. to Fri. from 7:30a.m. to 5:00p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeffery Hofsass**, can be reached on (703) 305-4717.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

10. **Any response to this action should be mailed to :**

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703)872-9314 (note: for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Son Tang

May 20, 2002


JEFFERY HOFSASS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600